

JUL 19 2005

Atty. Docket No. COU09 P-303

## CERTIFICATE OF FACSIMILE

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07-19-05  
Date

Sharla A. Waller  
Sharla A. Waller

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Art Unit : 3721  
Examiner : Christopher R. Harmon  
Applicants : Neil G. Cousins et al.  
Appln. No. : 10/781,257  
Filing Date : February 18, 2004  
Confirmation No. : 3149  
For : STRETCH WRAP THREADING DEVICE

Mail Stop AF  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

Dear Sir:

REQUEST FOR RECONSIDERATION

Applicants appreciate the courtesy of the phone conference with the Examiner of July 19, 2005. The rejections of claims 1-5, 7-9, 11-18 and 20-26 as being anticipated by Reigrut 5,575,138 were discussed. It was agreed that the motor 22 and clutch 37 of Reigrut '138 were not connected to chain 63.

Applicants appreciate that some of the limitations are functional recitations. However, "A functional limitation must be evaluated and considered, just like any other limitation of the claim, for what it fairly conveys to a person of ordinary skill in the pertinent art in the context in which it is used." MPEP 2173.05(g). Applicants respectfully request consideration of the invention as a whole, including all limitations. (The claimed invention must be considered as a whole). M.P.E.P. 2141.02.

Reigrut '138 clearly does not include a disengagable drive that selectively couples a motor to an elongated flexible member, and wherein the motor is also coupled to first and second rollers and drives the rollers without driving the elongated flexible member, when the drive is disengaged, as recited in independent claims 1, 13 and 21 of the present application.

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Applicants note that the film dispensing device of claims 1-26 does not utilize a second motor to drive the threading device. "The omission of an element with retention of the element's function is an indicia of unobviousness." MPEP 2144.04(II)(B).

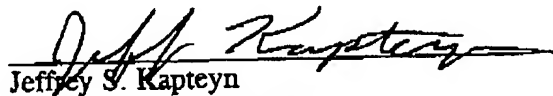
Claims 2-12 depend from claim 1, claims 14-20 depend from independent claim 13, and claims 22-26 depend from independent claim 21, and the dependent claims are also therefore believed to be allowable for those reasons set forth above with respect to independent claims 1, 13 and 21.

Applicants have made a concerted effort to the place the present application in condition for allowance, and a notice to this effect is earnestly solicited. In the event there are any remaining informalities, the courtesy of a telephone call to the undersigned attorney would be appreciated.

Respectfully submitted,

Date

7/19/05

  
Jeffrey S. Kapteyn

Registration No. 41 883

Price, Heneveld, Cooper, DeWitt & Litton, LLP

695 Kenmoor, S.E.

Post Office Box 2567

Grand Rapids, Michigan 49501

(616) 949-9610

JSK/cmu